

## REMARKS

### **I. 35 U.S.C. §102 - Nevins Claims 2, 4, 14, and 15**

Nevins sets microphone volume levels. In Nevins, a speech recognition system executes microphone test software. The test software initially prompts the user to speak the test phrase "Testing Microphone." The test software may re-prompt the user to speak the test phrase, each time checking for adequate volume level. (Col. 4, lines 29-31, 45-53, Figure 2a).

The test software executes in response to either of two discrete events. The first event is the addition of a new user to the speech recognition system. At that time, the test software determines if microphone volume is adequate. (Col. 4, lines 24-44). The second event is explicit user instruction to execute the test software. (Col. 6, lines 49-63). Nevins does not provide continuous feedback, as claimed, and does not anticipate claims 2, 4, 14, and 15. The Assignee respectfully requests withdrawal of the §102 rejection.

### **II. 35 U.S.C. §103 - Nevins and Park Claims 1, 3, 5-9, 11-13, and 17-18**

Even assuming that there is motivation to combine Nevins and Park, the resulting Nevins-Park speech processing system does not teach or suggest the subject matter present in claims 1, 3, 5-9, 11-13, or 17-18. The Nevins-Park system sets the volume level of a microphone that provides input to a speech processing system. The Nevins-Park system obtains time samples of the microphone input,  $d(k)$ , and time samples from a secondary correlated sensor,  $x(k)$ . Analog to digital converters generate the time samples. (Col. 4, lines 22-36, Figure 1). An adaptive filter processes  $d(k)$  and  $x(k)$  to obtain an enhanced time series speech signal  $y(k)$ . (Col. 4, lines 56-63).

The Nevins-Park system does not provide continuous feedback of microphone on/off state. Nor does the Nevins-Park system calculate frequency domain parameters that reflect information about microphone placement. Instead, the Nevins-Park system

generates a time series speech signal  $y(k)$  from two other time series signals  $d(k)$  and  $x(k)$ . The Nevins-Park system does not teach or suggest the subject matter found in claims, and the Assignee respectfully requests withdrawal of the §103 rejection.

**III. 35 U.S.C. §103 - Nevins and Bakis  
Claims 10 and 16**


The Assignee respectfully submits that, even if there were a motivation to combine Nevins and Bakis, the resulting system still would not disclose or suggest the subject matter of claims 10 and 16. The Nevins-Bakis system is a microphone diagnostic system that tests the microphone volume level when discrete events occur. The system also measures RMS noise and speech levels to determine when the noise level approaches the speech level. If the noise level is too close to the speech level, the Nevins-Bakis system issues a diagnostic message. (Bakis, Col. 4, lines 60-65).

The Nevins-Bakis combination does not compare an RMS value to a threshold to determine if a microphone is on or off. The Nevins-Bakis combination fails to teach or suggest the claimed subject matter. The Assignee respectfully requests withdrawal of the rejection of claims 10 and 16 in view of Nevins and Bakis.

**SUMMARY**

Alone or in the asserted combinations, Nevins, Bakis, and Park fail to teach or suggest the claimed subject matter. The Assignee therefore respectfully submits that the pending claims are in condition for allowance. The Assignee also respectfully request confirmation from the Examiner that the amendment to the Title submitted in the last office action was entered. The Examiner is invited to call the undersigned attorney for the Assignee via telephone if the Examiner has any questions, comments, or concerns, or if a telephone conference would expedite examination of this application.

Respectfully submitted,

  
\_\_\_\_\_  
John F. Nethery  
Registration No. 42,928  
Attorney for Assignee

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200